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November 8, 2021

Via ECF

Honorable Lewis J. Liman
United States District Judge
Southern District of New York
500 Pearl Street
New York, New York 10007

***Re: HC2, Inc. v. Andrew Delaney
Civil Action No. 20-cv-03178-LJL***

Dear Judge Liman:

On behalf of HC2, Inc., we are in receipt of Defendant's letter filed today (ECF No. 142) in response to the Court's Order to Show Cause ("OTSC") dated October 25, 2021 (ECF 141). The Court's OTSC did not direct Plaintiff to submit further briefing in regards to its motion to substitute the Chapter 7 Trustee, Mr. Messer. We therefore submit this letter to inform the Court that HC2 stands ready to provide any further response should the Court deem one necessary. HC2 does not agree with any of the contentions raised in Defendant's letter filed today, of which Mr. Messer, as Trustee, had sole and exclusive standing to assert and which he has since decidedly withdrawn, as set forth in Plaintiff's fully-submitted motion to substitute currently pending before the Court.

Plaintiff thanks the Court for its time and attention to this matter.

Respectfully Submitted,

**OGLETREE, DEAKINS, NASH,
SMOAK & STEWART, P.C.**

s/ Michael Nacchio

Michael Nacchio

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